

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

1

The Minutes

April 8, 2002

- C035295 THE PEOPLE v. MELLO (Certified for Partial Publication)**
The judgment is reversed.
 SCOTLAND, P.J.
We concur: Sims, J.
 Kolkey, J.
- C037477 THE PEOPLE v. TATE (Not for Publication)**
The judgment is affirmed.
 ROBIE, J.
We concur: Scotland, P.J.
 Davis, J.
- C038109 THE PEOPLE v. K.R. (Not for Publication)**
The judgment is affirmed.
 HULL, J.
We concur: Blease, Acting P.J.
 Kolkey, J.
- C039173 In re MICHELLE L.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH
AND HUMAN SERVICES v. JAMES G. et al. (Not for Publication)**
The juvenile court's orders are affirmed.
 CALLAHAN, J.
We concur: Davis, Acting P.J.
 Nicholson, J.
- C039856 In re T.S.; YOLO COUNTY DEPARTMENT OF SOCIAL SERVICES v. T.C. (Not for Publication)**
The order of the juvenile court terminating appellant's parental rights is affirmed.
 RAYE, J.
We concur: Scotland, P.J.
 Hull, J.

April 9, 2002

- C037555 THE PEOPLE v. WILSON (Not for Publication)**
The judgment (order granting probation) is modified to reduce the total amount of
restitution to victim Union Pacific Railroad by \$5,000, from \$20,452 to \$15,452.
In all other respects, the judgment is affirmed.
 BLEASE, Acting P.J.
We concur: Hull, J.
 Kolkey, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

2

The Minutes

April 9, 2002, continued

- C038214 THE PEOPLE v. LOPEZ (Not for Publication)**
The judgment is affirmed.
 SIMS, J.
We concur: Scotland, P.J.
 Morrison, J.
- C035179 CARWASH OF AMERICA-PO LLC, v. WINDSWEPT VENTURES NO. I et al. (Certified for Publication)**
The judgment (order) is affirmed. **(CERTIFIED FOR PUBLICATION.)**
 HULL, J.
We concur: Scotland, P.J.
 Callahan, J.

April 10, 2002

**MISC. ORDER
2002-03**

BY THE COURT:
Associate Justice Coleman A. Blease is appointed to serve as Acting Presiding Justice to discharge the duties described in the California Rules of Court, rules 75, 76, 77 and 78, during the absence of the Presiding Justice from the court on April 15, 2002, and April 29, 2002. Associate Justice George W. Nicholson is appointed to serve as Acting Presiding Justice to discharge the duties described in the California Rules of Court, rules 75, 76, 77 and 78, during the absence of the Presiding Justice from the court on April 26, 2002, or until his return. (See Cal. Const. Art 6, Sec. 3.) The senior member of a panel of the Court is designated the Acting Presiding Justice of that panel during the absence of the Presiding Justice.
 SCOTLAND, P.J.

- C033168 THE PEOPLE v. TIJANI (Not for Publication)**
The judgment is affirmed.
 NICHOLSON, J.
We concur: Sims, Acting P.J.
 Morrison, J.
- C036351 THE PEOPLE v. WILSON (Not for Publication)**
The judgment is affirmed.
 SIMS, Acting P.J.
We concur: Callahan, J.
 Robie, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

3

The Minutes

April 10, 2002, continued

- C036489 THE PEOPLE v. BARTON et al. (Not for Publication)**
The judgments are affirmed.
 SCOTLAND, P.J.
We concur: Davis, J.
 Raye, J.
- C036918 THE PEOPLE v. ROMERO (Not for Publication)**
The judgment is affirmed.
 SIMS, Acting P.J.
We concur: Callahan, J.
 Kolkey, J.
- C038428 STAPLES v. FRANCHISE TAX BOARD (Not for Publication)**
The judgment is affirmed. The Board shall recover costs on appeal.
 RAYE, Acting P.J.
We concur: Morrison, J.
 Hull, J.
- C038256 In re AIRIEL D. et al.; DEPARTMENT OF HEALTH AND HUMAN SERVICES
v. SAMANTHA W.**
- C038810 In re XAVIER W.; DEPARTMENT OF HEALTH AND HUMAN SERVICES
v. SAMANTHA W. (Not for Publication)**
The judgment is affirmed.
 BLEASE, J.
We concur: Scotland, P.J.
 Raye, J.

April 11, 2002

MISC. ORDER

2002-04

BY THE COURT:

Associate Justice Coleman A. Blease is appointed to serve as Acting Presiding Justice to discharge the duties described in the California Rules of Court, rules 75, 76, 77 and 78, during the absence of the Presiding Justice from the court on April 12, 2002, or until his return. (See Cal. Const. Art 6, Sec. 3.) The senior member of a panel of the Court is designated the Acting Presiding Justice of that panel during the absence of the Presiding Justice.
SCOTLAND, P.J.

- C037236 THE PEOPLE v. WOOLFOLK (Not for Publication)**
The judgment is affirmed.
 ROBIE, J.
We concur: Scotland, P.J.
 Davis, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

4

The Minutes

April 11, 2002, continued

C038631 THE PEOPLE v. KUBBY (Certified for Publication)
It is ordered that defendant's cross-appeal be dismissed unless defendant, within 30 days from this date, surrenders himself to the custody of the appropriate Placer County officials. (See People v. Clark, supra, 201 Cal. at p. 477; People v. Fuhr, supra, 198 Cal. at p. 594; People v. Elkins (1898) 122 Cal. 654, 655; People v. Redinger, supra, 55 Cal. at p. 299; People v. Buffalo, supra, 49 Cal.App.3d at p. 839.) This does not preclude defendant from seeking bail or a stay of the jail term of his probation as long as he submits himself to the trial court's jurisdiction and ends his fugitive status. The People's appeal is unaffected by this disposition.
 KOLKEY, J.
We concur: Blease, Acting P.J.
 Hull, J.

C039340 BAUTISTA et al. v. YOLO COUNTY and PUBLIC EMPLOYEES RETIREMENT SYSTEM
BY THE COURT:
Appellants' motion to reinstate the appeal is granted. The order of March 14, 2002, dismissing the appeal is vacated, and the appeal is reinstated.

Respondents briefs are to be served and filed on or before May 13, 2002.
 BLEASE, Acting P.J.

April 12, 2002

C038920 THE PEOPLE v. PARKER (Not for Publication)
The order of commitment is reversed and the matter is remanded for further competency proceedings.
 BLEASE, Acting P.J.
We concur: Hull, J.
 Robie, J.

C035859 TSAI v. TSAI (Not for Publication)
The judgment is affirmed.
 HULL, J.
We concur: Scotland, P.J.
 Davis, J.

C036295 HOWARD JARVIS TAXPAYERS ASSOCIATION et al. v. CITY OF ROSEVILLE (Certified for Publication)
The judgment is affirmed. (CERTIFIED FOR PUBLICATION.)
 DAVIS, J.
We concur: Scotland, P.J.
 Callahan, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

5

The Minutes

April 12, 2002, continued

- C036566 CASTRO v. STAHL (Not for Publication)**
The judgment is affirmed.
 NICHOLSON, J.
We concur: Sims, Acting P.J.
 Morrison, J.
- C038239 REYNOLDS et al. v. BATES (Not for Publication)**
The judgment is affirmed. Respondents shall recover their costs on appeal.
(Cal. Rules of Court, rule 26(a).)
 ROBIE, J.
We concur: Scotland, P.J.
 Davis, J.